

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROBERT G. LOPEZ,

Plaintiff,

-against-

INFINITY 1, INC., ET AL.,

Defendants.

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ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 12/18/2019

19 Civ. 7631 (LGS)

ORDER

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LORNA G. SCHOFIELD, District Judge:

WHEREAS, an initial pretrial conference was held on December 17, 2019. It is hereby

**ORDERED** that, as discussed at the conference, Plaintiff shall file the Third Amended Complaint (“TAC”) by **January 3, 2020**. The TAC shall not include: (1) Defendant Barneys New

York, Inc. which has filed for bankruptcy or (2) retailer or distributor defendants. It is further

**ORDERED** that Defendant Puma North America, Inc.’s Motion to Dismiss is due **January 8, 2020**, and will be construed as applying to the TAC. Plaintiff’s opposition is due **January 22, 2020**. Defendant Puma’s reply is due **January 29, 2020**. Discovery as to Defendant Puma is stayed pending resolution of the motion to dismiss. It is further

**ORDERED** that, if Defendant Infinity 1, Inc. wishes to move to dismiss the TAC, it shall file a pre-motion letter with a proposed briefing schedule, preferably agreed on with Plaintiff, **21 days after the filing date of the TAC**. Defendant Infinity 1 may request a discovery stay in the same letter.

A discovery schedule will follow separately. The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff. Defendants’ counsel is also respectfully directed to e-mail a copy of this Order to Plaintiff.

Dated: December 16, 2019  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE